

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CLUB GENE & GEORGETTI, L.P.,

Plaintiff,

Hon. Gordon J. Quist

v.

Case No. 1:12-mc-00034

GIORGETTI'S, INC., et al.,

Defendants.

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**REPORT AND RECOMMENDATION**

This matter is before the Court on Plaintiff's Motion to Compel Proper and Adequate Production of Subpoenaed Documents, to Pierce the Corporate Veil and Sanctions (Dkt. 2), which was referred to the undersigned by the Honorable Gordon J. Quist for report and recommendation under 28 U.S.C. § 636(b). The parties were heard on November 1, 2012. David Moll appeared on behalf of himself and as owner of Giorgetti's, Inc. Giorgetti's, Inc. was unrepresented. The subpoena is in connection with the attempted collection of a default judgment against Giorgetti's Inc. and David Moll, individually and as owner of Giorgetti's, Inc., in the amount of \$59,977.95 in the United States District Court for the Northern District of Illinois (Case No. 1:11-cv-06765). The judgment was registered in this court on March 7, 2012 (Dkt. 1). It appears that the subpoenaed documents are appropriate and reasonable to plaintiff's efforts to collect the judgment. It also appears that Mr. Moll's running of Giorgetti's, Inc. is casual in terms of bookkeeping, to say the least.

Therefore, the undersigned recommends that the motion (Dkt. 2) be granted in part and denied in part as outlined in the proposed order attached as Exhibit A.

Respectfully submitted,

Date: November 5, 2012

/s/ Ellen S. Carmody  
ELLEN S. CARMODY  
United States Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within 14 days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).